

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SUN LIFE AND HEALTH
INSURANCE COMPANY (U.S.),

Plaintiff/Stakeholder,

-against-

KATHLEEN COLAVITO,
DOMENIC COLAVITO and
TERESA MAMONE COLAVITO,

Defendants/Claimants.
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DECLARATION OF
PAUL J. GOLDSTEIN

Docket No. 7:11-cv-05225-KMK

PAUL J. GOLDSTEIN affirms the following statements are true under penalties of perjury:

1. I am a member of the firm of GOLDSTEIN & GOLDSTEIN, LLP, attorneys for the Claimants, DOMENIC COLAVITO and TERESA MAMONE COLAVITO, and as such am familiar with this matter. I submit this declaration, the accompanying Responses to Claimant's Statement of Facts, and Memorandum of Law, in opposition to Claimant Kathleen Colavito's motion for summary judgment.
2. Attached hereto is Exhibit "A", a copy of the deposition transcript of Kathleen Colavito.
3. Attached hereto is Exhibit "B", Tape Recording of Matthew Colavito, dated October 17, 2010, and transcript of the tape recording.
4. Attached hereto is Exhibit "C", a copy of the deposition transcript of Peter Wang, Benefits Administrator at BOCES.
5. Attached hereto is Exhibit "D", a copy of the deposition transcript of Matthew Carr,

Business Administrator of Human Resources for BOCES in 2007-2012.

6. Attached hereto is Exhibit "E" is "Your Group Life Benefits", Cover, inside Cover, and p. pps. 31-32.
7. Attached hereto is Exhibit "F", Summary and Detail Payroll Record of Matthew Colavito, from BOCES.

WHEREFORE, for the reasons set forth in the claimant's accompanying papers, the Court should deny Kathleen Colavito's motion for summary judgment, in its entirety.

Dated: May 3, 2013
Poughkeepsie, New York

Yours, etc.

GOLDSTEIN & GOLDSTEIN, LLP
Attorneys for Claimants, Domenic Colavito
and Teresa Colavito

/s Paul J. Goldstein
Paul J. Goldstein, Esq. (9722)
40 Garden Street
Poughkeepsie, NY 12601
(845) 473-5100
Fax: (845) 454-4783
Paul@goldsteinlawfirm.com